UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

AERITAS, LLC, Plaintiff v. **FINNAIR OYI** Defendant	**Case No. 6:20-cv-00639** **JURY TRIAL DEMANDED**

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Aeritas, LLC ("Aeritas" or "Plaintiff") files this Complaint for patent infringement against Finnair Oyi ("Defendant"), and alleges as follows:

NATURE OF THE ACTION

1.   This is an action for patent infringement arising under 35 U.S.C. § 1 *et seq*.

PARTIES

2.   Aeritas is a limited liability company organized and existing under the laws of the State of Texas with its principal place of business in Dallas, Texas.

3.   Upon information and belief, Finnair Oyi is a foreign corporation organized and existing under the laws of Finland with its principal place of business at Tietotie 9, Vantaa, Finland.

JURISDICTION AND VENUE

4.   This Court has original jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5.   Upon information and belief, Defendant is subject to personal jurisdiction of this Court based upon it having regularly conducted business, including the acts complained of herein, within the State of Texas and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this District.

6.   Venue is proper in this District under 28 U.S.C. § 1400 because Defendant has committed acts of infringement and has regular and established places of business in this judicial district.
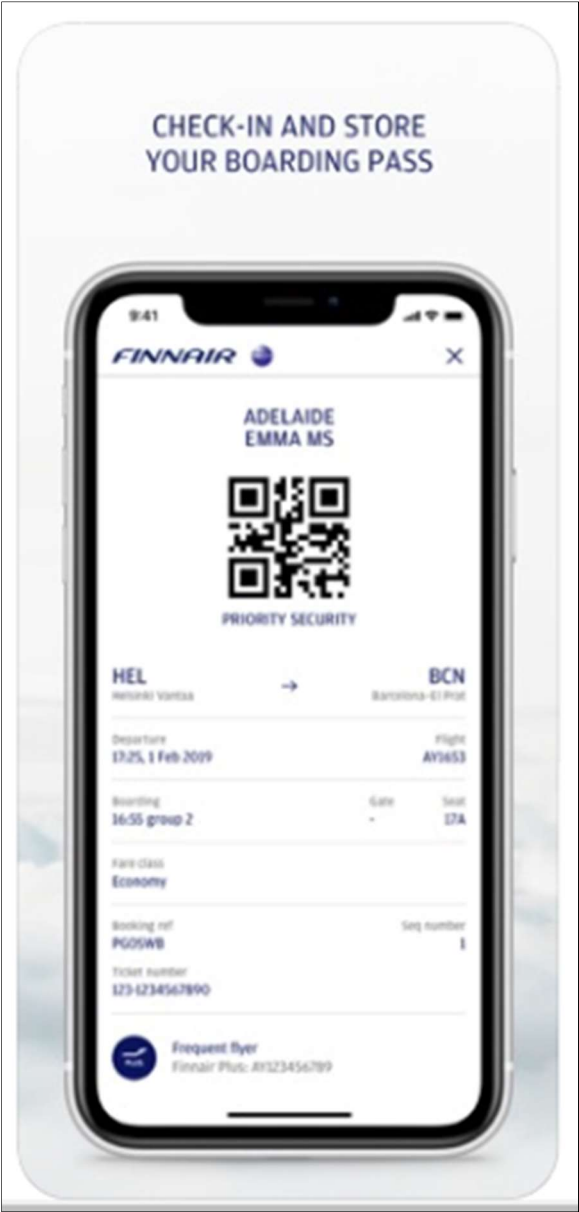
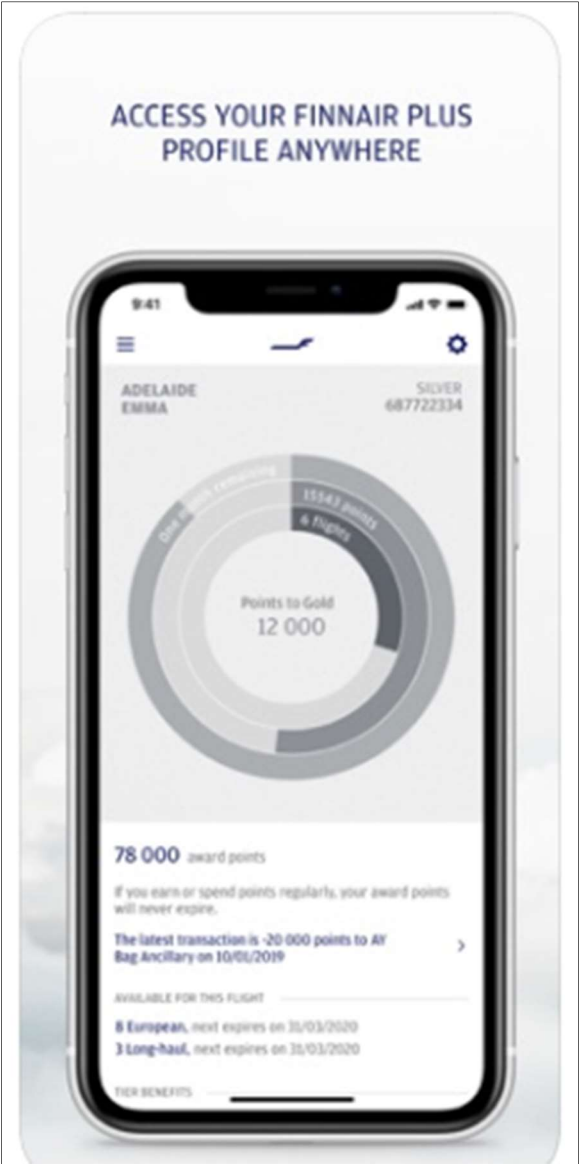<div align="center"><u>OVERVIEW OF THE FINNAIR APP</u></div>

7.   Defendant provides for its customers use the Finnair App, which is available for use with iOS and Android devices. The following illustrates usage, functions, and operation of the Finnair App.
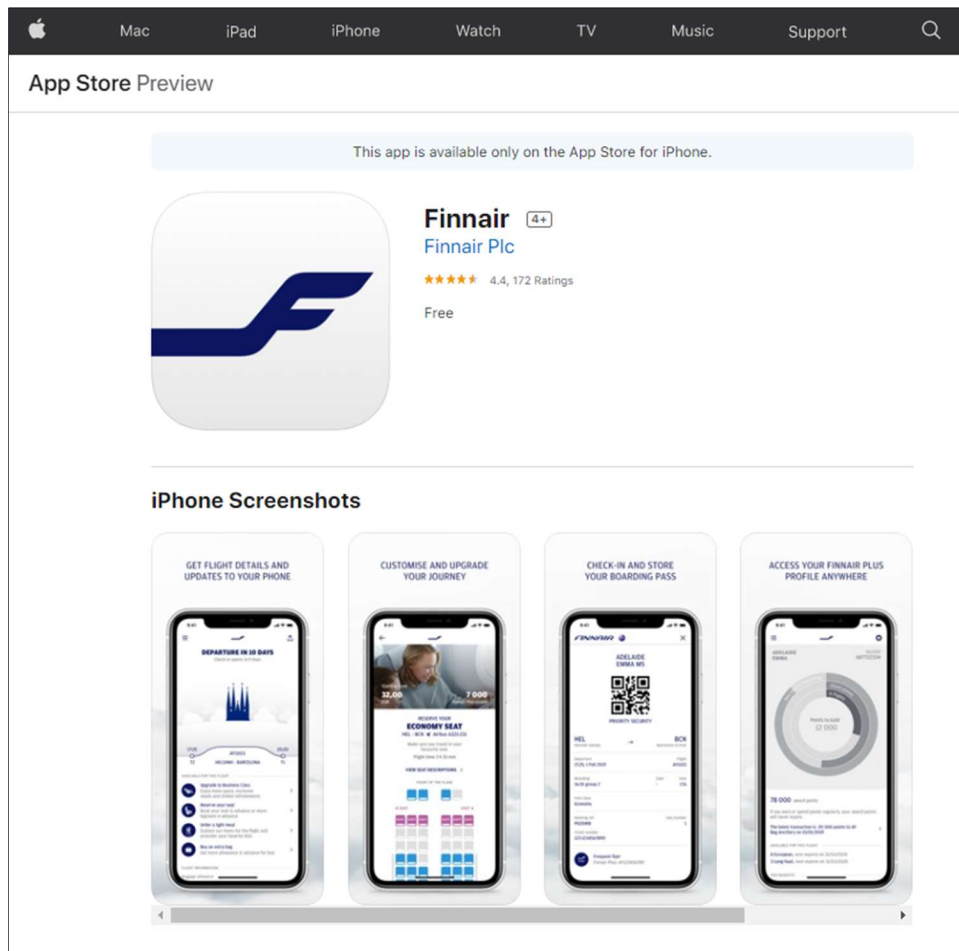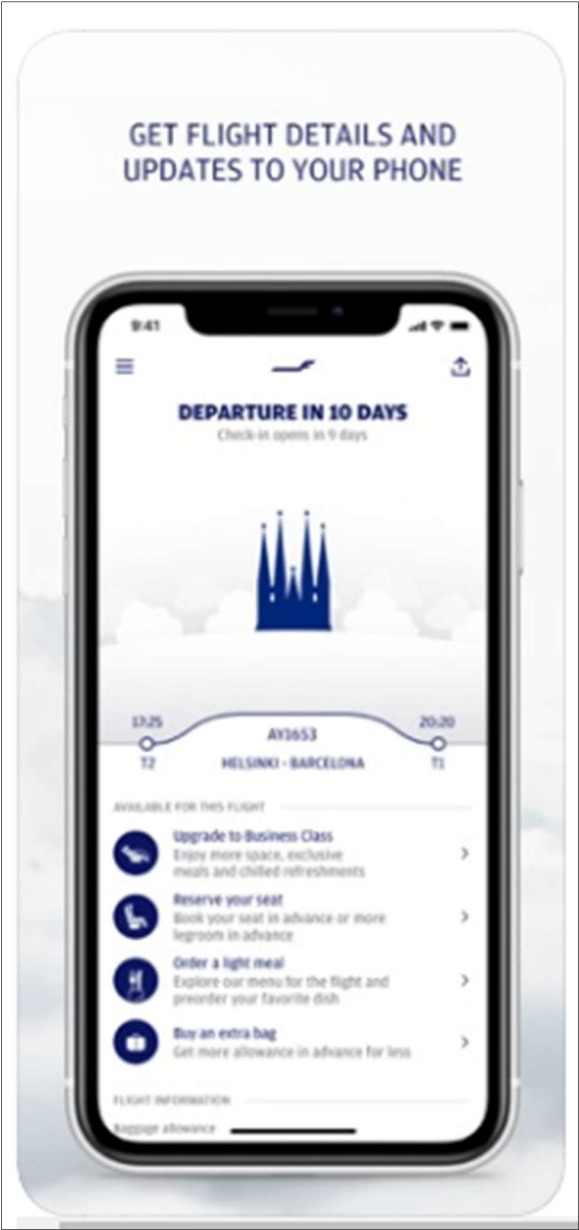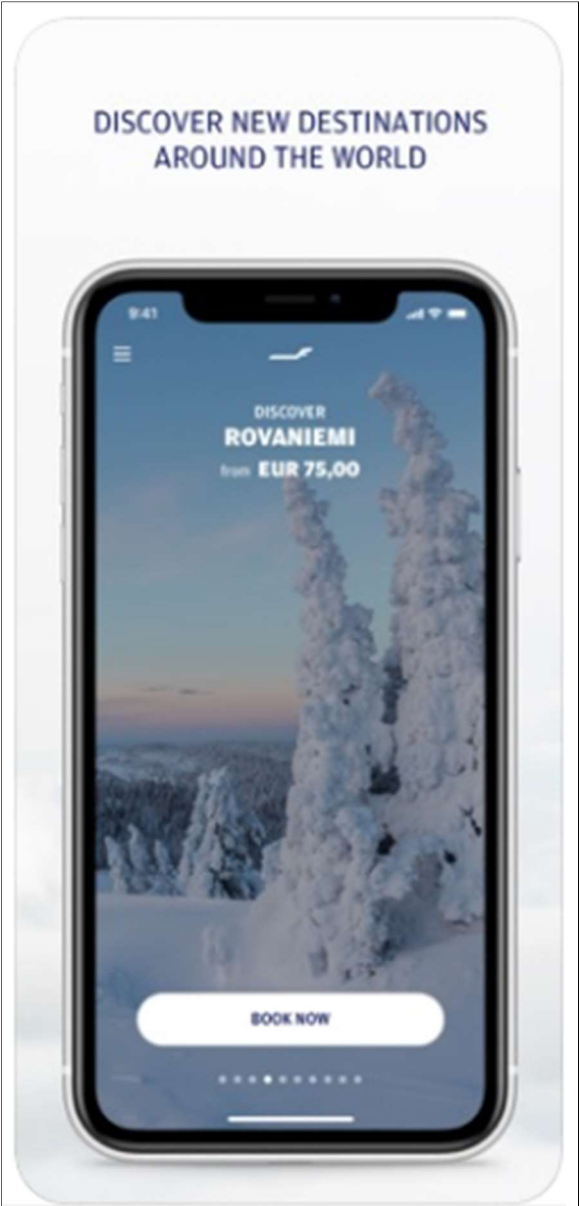
The Finnair app is a travel companion designed to give you peace of mind throughout your journeys, from preparing for the flight to landing at the destination.

CHECK-IN AND BOARDING PASS
You can check-in to your flights to most destinations and keep your boarding pass in your app. You can also save it to your Wallet.

FLIGHT INFORMATION
Get notified of boarding, delays and other important moments during your journey. Your flight details are also kept in the app, from baggage allowance to diet restrictions.

UPGRADE YOUR EXPERIENCE
We offer Business class upgrades, Economy Comfort seats and other extra services through the app, so you can customise the flight to your needs. You can pay with ApplePay, credit card, vouchers or Finnair Plus points.

BOOK FLIGHTS
Discover new destinations and deals through the Finnair app and automatically add the flights to your app.

ACCESS FINNAIR PLUS
Keep an eye on your Finnair Plus points, recent transaction and check tier benefits. By adding the flight to app while logged in, you ensure that you get all the points you're entitled to. Remember to join Finnair Plus if you're not a member yet - or use the app anonymously if you wish.

CUSTOMER CARE
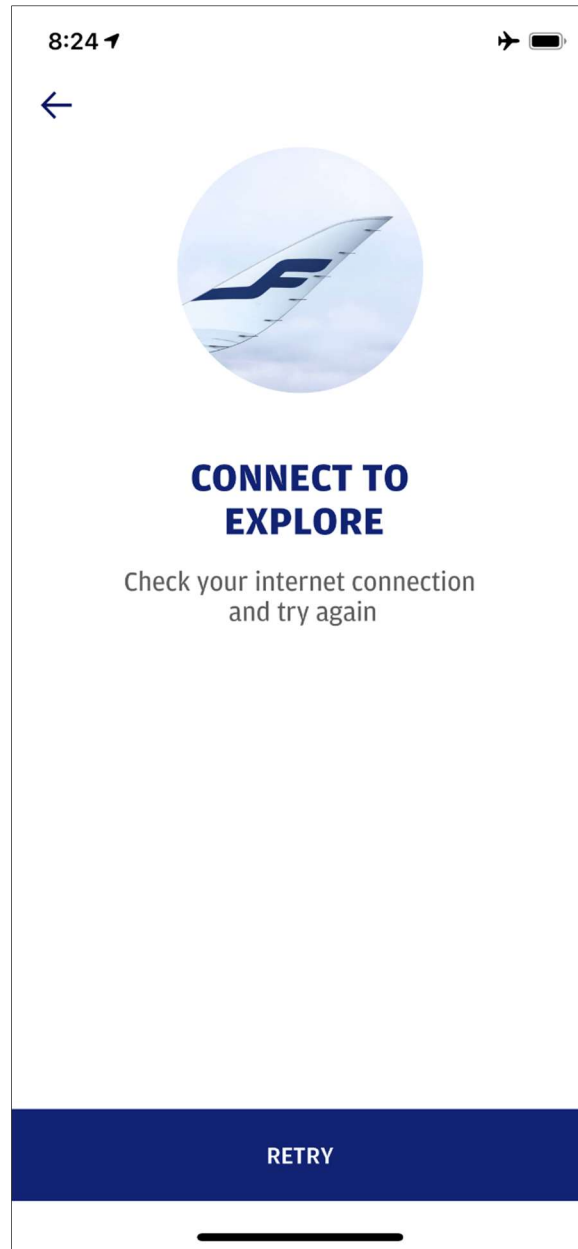Get in touch with our customer care experts through the call centre or Facebook Messenger.

AIRPORT SERVICES
Reserve parking and check the terminal maps through the app. When you arrive to Helsinki-Vantaa airport, we'll let you know where to find your luggage.

We are continuously working on new features to support you during your travels.

https://apps.apple.com/us/app/finnair/id933867978

8:27

CHECK PRICES AND SELECT DATES ✕

✈ > ✈ ∨	Tue 2 Mar	Wed 3 Mar	Thu 4 Mar	Fri 5 Mar	Sat 6 Mar	Sun 7 Mar	Mon 8 Mar
Tue 9 Mar	$1164	$1214	$1279	$1279	$4241	$4241	-
Wed 10 Mar	$1164	$1164	$1279	$1279	$2839	$4241	$4241
Thu 11 Mar	$1130	$1130	$1211	$1279	$2839	$2789	$4241
Fri 12 Mar	$1164	$1164	$1214	**$1214**	$2839	$2789	$2789
Sat 13 Mar	$1243	$1229	$1279	$1279	$1293	$2839	$2839
Sun 14 Mar	$1243	$1229	$1279	$1279	$1293	$1229	$1279
Mon 15 Mar	$1243	$1229	$1279	$1279	$1293	$1229	$1229

Prices from **$1,214**
1 adult

BOOK NOW

The Finnair App requires a connection to a server in order to operate:
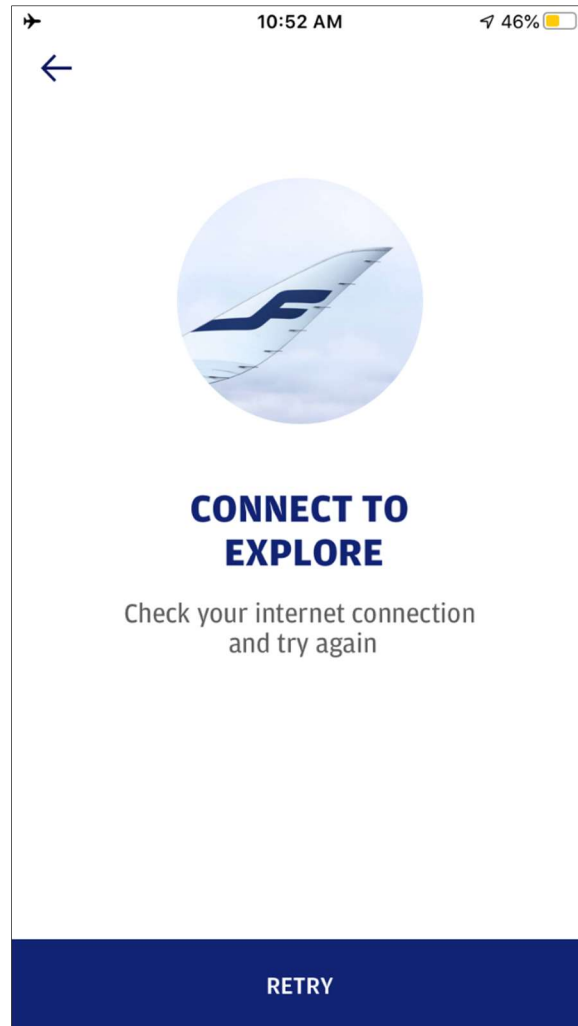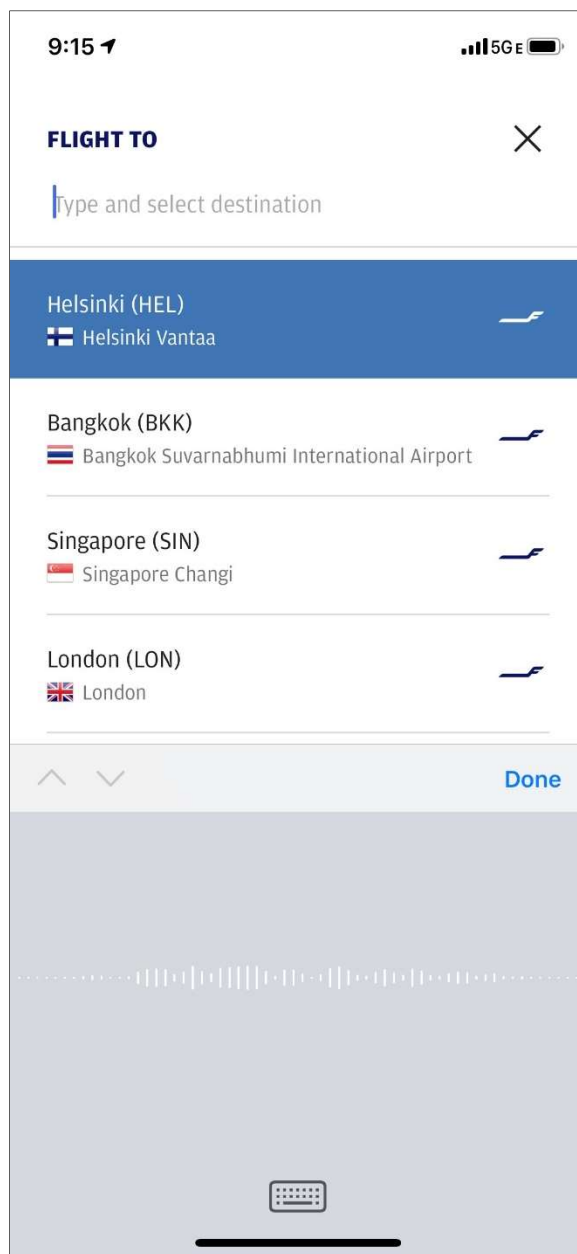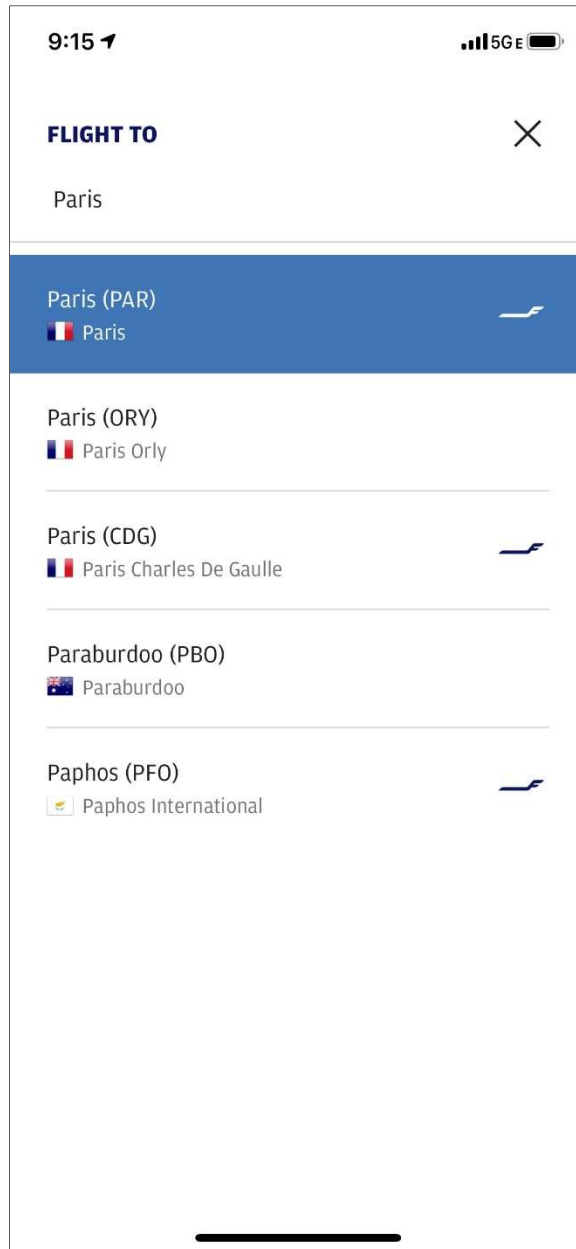
Screenshots from use of the Finnair App.
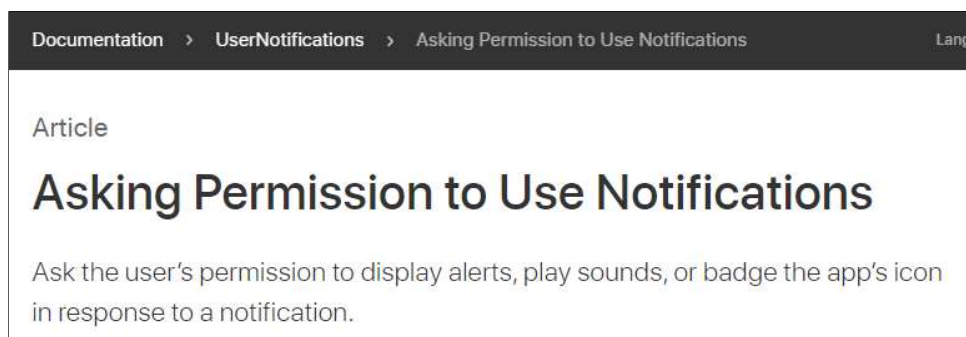
Overview

Local and remote notifications get the user's attention by displaying an alert, badging your app's icon, or playing sounds. These interactions occur when your app isn't running or is in the background. They let users know that your app has relevant information for them to view. Because the user might consider notification-based interactions disruptive, you must obtain permission to use them.

The first time your app makes this authorization request, the system prompts the user to grant or deny the request and records the user's response. Subsequent authorization requests don't prompt the user.

https://developer.apple.com/documentation/usernotifications/asking_permission_to_use_notifications

You can generate notifications locally from your app or remotely from a server that you manage. For *local notifications*, the app creates the notification content and specifies a condition, like a time or location, that triggers the delivery of the notification. For *remote notifications* (also known as push notifications), you use one of your company's servers to generate notifications, and Apple Push Notification service (APNs) handles the delivery of those notifications to the user's devices.

Use this framework to:

- Define the types of notifications that your app supports.

- Define any custom actions associated with your notification types.

- Schedule local notifications for delivery.

- Process already delivered notifications.

- Respond to user-selected actions.

https://developer.apple.com/documentation/usernotifications

8.   As illustrated, the Finnair App:

- Requires a connection to the Internet and a server in order to operate;

- Obtains access to and uses the location of the user's device;

- Provides notifications that deliver messages to the user based on notification criteria;

- Receives additional data from the user when the user accesses notifications;

- Shows currently tracked flights and booked flights;

- When location access is enabled, provides notifications, such as delays, cancellations, etc;

- Uses the spoken input in the process of booking a flight, searching for a location, obtaining a list of possible airport, and searching for destinations;

- Provides additional information after the process of booking a flight using the spoken input; and

- Provides for mobile check-in and generation of a mobile boarding pass.

COUNT I
(Infringement of U.S. Patent No. 7,706,819)

9.   Aeritas incorporates paragraphs 1 through 8 as though fully set forth herein.

10.   Plaintiff is the owner, by assignment, of U.S. Patent No. 7,706,819 (the "'819 Patent"), entitled MIXED-MODE INTERACTION, which issued on April 27, 2010. A copy of the '819 Patent is attached as Exhibit PX-819.

11.   The '819 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

12.   Defendant has been and is now infringing one or more claims of the '819 Patent under 35 U.S.C. § 271 by making and using the Finnair App with users' iOS and Android devices in the United States without authority.

13.   Defendant has also infringed the '819 Patent by encouraging users of the Finnair App to use the user's iOS or Android devices with the Finnair App to

practice the claims of the '819 Patent. Defendant has notice of the '819 Patent at least as of the date of service of this complaint.

14.   Claim 1 recites:

1.   A method comprising:

receiving spoken input from a wireless communication device;

obtaining data identifying a current location of the wireless communication device;

based on the current location of the wireless communication device and the spoken input, retrieving information;

delivering, to the wireless communication device by a notification server, a non-verbal response to the spoken input, the non-verbal response based on the retrieved information and including a drill-down menu by which additional information related to the retrieved information can be obtained; and

providing additional information related to the retrieved information in response to receipt of at least one additional input provided via the drill-down menu.

15.   More particularly, Defendant infringes at least claim 1 of the '819 Patent. Defendant receives spoken input from a wireless communication device (e.g., when a user searches for a location or specific airport using voice input). Defendant obtains data identifying the current location of the mobile device (e.g., as evidenced

by permissions required to access the device's location and subsequent provision of location-based information). Based on the location and the spoken input, Defendant retrieves information (e.g., the nearby airport subject to the voice search). Defendant delivers to the wireless device by a notification server, a non-verbal response to the spoken input, the non-verbal response based on the retrieved information and including a scroll-down menu by which additional information related to the retrieved information can be obtained (e.g., the nearby airport subject to the voice search). Defendant provides additional information related to the retrieved information in response to receipt of at least one additional input provided via the scroll-down menu (e.g., price, availability and other flight information).

16.   Aeritas has been damaged by Defendant's infringing activities.

COUNT II
(Infringement of U.S. Patent No. 10,362,160)

17.   Aeritas incorporates paragraphs 1 through 8 as though fully set forth herein.

18.   Plaintiff is the owner, by assignment, of U.S. Patent No. 10,362,160 (the "'160 Patent"), entitled MIXED-MODE INTERACTION, which issued on July 23, 2019. A copy of the '160 Patent is attached as Exhibit PX-160.

19.   The '160 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

20.   Defendant has been and is now infringing one or more claims of the '160 Patent under 35 U.S.C. § 271 by making and using the Finnair App with users' iOS and Android devices in the United States without authority.

21.   Defendant has also infringed the '160 Patent by encouraging users of the Finnair App to use the user's iOS or Android devices with the Finnair App to practice the claims of the '160 Patent. Defendant has notice of the '160 Patent at least as of the date of service of this complaint.

22.   Claim 1 recites:

1.   Apparatus, comprising:

a processor;

computer memory holding computer program instructions to:

receive first data indicating a permission to provide a mobile device user a notification, the notification having an associated notification criteria;

at a given time, receive information identifying a determined location of a mobile device;

based at least in part on a determined location of the mobile device and the notification criteria, to provide to the mobile device the notification, the notification being associated at the mobile device with one of: an audible, visual and tactile alert;

receive second data as a result of an input being received at the mobile device following the notification;

retrieve information associated with the input and the determined location of the mobile device; and

provide to the mobile device a response to the input, the response

based on the retrieved information.

23.   More particularly, Defendant infringes at least claim 1 of the '160
Patent. On information and belief, Defendant employ a processor and computer
memory holding computer program instructions to perform the functions described
herein. Defendant receives information indicating that the user has provided
permission to provide notifications to the user. Defendant asks for permission to
obtain the user's location and obtains the user's location if permission is granted.
When location access is granted, the Defendant provides a notification to the user,
based on the location, alerting that the user can check into a flight, that there is a
delay, a flight cancelation, or a change in departure location. Defendant receives
additional data in the form of touchscreen input when the user responds to the
notification, which launches a page corresponding to the notification. Defendant then
displays a relevant page and provides additional information related to the
notification.

24.   Aeritas has been damaged by Defendant's infringing activities.

COUNT III
(Infringement of U.S. Patent No. 9,390,435)

25.   Aeritas incorporates paragraphs 1 through 8 as though fully set forth
herein.

26.   Plaintiff is the owner, by assignment, of U.S. Patent No. 9,390,435 (the
"'435 Patent"), entitled MIXED-MODE INTERACTION, which issued on February 6,
2018. A copy of the '435 Patent is attached as Exhibit PX-435.

27.   The '435 Patent is valid, enforceable, and was duly issued in full

compliance with Title 35 of the United States Code.

28.   Defendant has been and is now infringing one or more claims of the '435

Patent under 35 U.S.C. § 271 by making and using the Finnair App with users' iOS

and Android devices and servers in the United States without authority.

29.   Defendant has also infringed the '435 Patent by encouraging users of

the Finnair App to use the user's iOS or Android devices with the Finnair App to

practice the claims of the '435 Patent. Defendant has notice of the '435 Patent at least

as of the date of service of this complaint.

30.   Claim 1 recites:

>   1.   Apparatus, comprising:
>
>   a processor;
>
>   computer memory holding computer program
>
>   instructions to:
>
>   receive first data indicating a permission to provide
>
>   a mobile device user a notification, the notification having
>
>   an associated notification criteria;
>
>   at a given time, determine a location of a mobile
>
>   device;
>
>   based at least in part on a determined location of
>
>   the mobile device and the notification criteria, to provide
>
>   to the mobile device the notification, the notification being

associated at the mobile device with one of: an audible,

visual and tactile alert;

receive second data as a result of an input being

received at the mobile device following the notification;

retrieve information associated with the input and

the determined location of the mobile device; and

provide to the mobile device a response to the

input, the response based on the retrieved information.

31.   More particularly, Defendant infringes at least claim 1 of the '435 Patent. On information and belief, Defendant employs a processor and computer memory holding computer program instructions to perform the functions described herein. Defendant receives information indicating that the user has provided permission to provide notifications to the user. Defendant asks for permission to obtain the user's location and obtains the user's location if permission is granted. When location access is granted, the Defendant provides a notification to the user, based on the location, alerting that the user can check into a flight, that there is a delay, a flight cancelation, or a change in departure location. Defendant receives additional data in the form of touchscreen input when the user responds to the notification, which launches a page corresponding to the notification. Defendant then displays a relevant page and provides additional information related to the notification.

32.   Aeritas has been damaged by Defendant's infringing activities.

COUNT IV
(Infringement of U.S. Patent No. 9,888,107)

33.   Aeritas incorporates paragraphs 1 through 8 as though fully set forth herein.

34.   Plaintiff is the owner, by assignment, of U.S. Patent No. 9,888,107 (the "'107 Patent"), entitled MIXED-MODE INTERACTION, which issued on February 6, 2018. A copy of the '107 Patent is attached as Exhibit PX-107.

35.   The '107 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

36.   Defendant has been and is now infringing one or more claims of the '107 Patent under 35 U.S.C. § 271 by making and using the Finnair App with users' iOS and Android devices in the United States without authority.

37.   Defendant has also infringed the '107 Patent by encouraging users of the Finnair App to use the user's iOS or Android devices with the Finnair App to practice the claims of the '107 Patent. Defendant has notice of the '107 Patent at least as of the date of service of this complaint.

38.   Claim 5 recites:

> 5.   Apparatus, comprising:
>
> a processor;
>
> computer memory holding computer program instructions to:
>
> receive first data indicating a permission to provide a mobile device user a notification, the notification having an associated notification criteria;

at a given time, determine a location of a mobile device;

based at least in part on a determined location of the mobile device and the notification criteria, to provide to the mobile device the notification, the notification being associated at the mobile device with one of: an audible, visual and tactile alert;

receive second data as a result of an input being received at the mobile device following the notification;

retrieve information associated with the input and the determined location of the mobile device; and

provide to the mobile device a response to the input, the response based on the retrieved information;

wherein the computer program instructions comprise a rules engine that comprises first and second components, a first component that evaluates the notification criteria, and a second component that executes notification rules.

39.   More particularly, Defendant infringes at least claim 5 of the '107 Patent. On information and belief, Defendant employs a processor and computer memory holding computer program instructions to perform the functions described herein. Defendant receives information indicating that the user has provided permission to provide notifications to the user. Defendant asks for permission to obtain the user's location and obtains the user's location if permission is granted.

When location access is granted, the Defendant provides a notification to the user, based on the location, alerting that the user can check into a flight, that there is a delay, a flight cancelation, or a change in departure location. Defendant receives additional data in the form of touchscreen input when the user responds to the notification, which launches a page corresponding to the notification. Defendant then displays a relevant page and provides additional information related to the notification. Upon matching flight notification with the user's saved flight based on location, the Defendant provides a visual notification based on a rules engine evaluating notification criteria.

40.   Aeritas has been damaged by Defendant's infringing activities.

COUNT V
(Infringement of U.S. Patent No. 8,620,364)

41.   Aeritas incorporates paragraphs 1 through 8 as though fully set forth herein.

42.   Plaintiff is the owner, by assignment, of U.S. Patent No. 8,620,364 (the "'364 Patent"), entitled MIXED-MODE INTERACTION, which issued on December 31, 2013. A copy of the '364 Patent is attached as Exhibit PX-364.

43.   The '364 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

44.   Defendant has been and is now infringing one or more claims of the '364 Patent under 35 U.S.C. § 271 by making and using the Finnair App with users' iOS and Android devices in the United States without authority.

45.   Defendant has also infringed the '364 Patent by encouraging users of the Finnair App to use the user's iOS or Android devices with the Finnair App to practice the claims of the '364 Patent. Defendant has notice of the '364 Patent at least as of the date of service of this complaint.

46.   Claim 1 recites:

1.   Apparatus, comprising:

a processor;

computer memory holding computer program instructions to execute a rules engine that correlates data identifying a location of a mobile communication device, consumer interest data, data associated with one or more inventory attributes, and notification criteria that defines when a notification is to be delivered to the mobile communications device and a type of such notification, and to generate a message for delivery to the mobile communication device if at least one matching rule in the rules engine is triggered and the notification criteria are met, the message identifying one or more suppliers in the location with inventory that a user of the mobile communication device has expressed an interest in as indicated by the consumer interest data; and

computer memory holding computer program instructions

executed by the processor to selectively deliver the message to the mobile communications device according to the notification criteria.

47.   More particularly, Defendant infringes at least claim 1 of the '364 Patent. On information and belief, Defendant employs a processor and computer memory holding computer program instructions to perform the functions described herein. Defendant receives information indicating that the user has provided permission to provide notifications to the user. Defendant asks for permission to obtain the user's location and obtains the user's location if permission is granted. When location access is granted, the Defendant obtains the user's location. Defendant stores consumer interest items such as booked flights and tracked flights. Defendant stores data associated with available inventory, such as whether a flight is available on a certain date, etc. Defendant stores notification criteria to define when notifications are to be delivered to the user including the type of notification. Defendant utilizes a rules engine to evaluate when notification criteria are met. If the notification criteria are met, Defendant generates a message to be delivered to the user. The message identifies a supplier, such as an airport in the location of interest to the user. If the appropriate criteria are met, Defendant delivers the message to the user.

48.   Aeritas has been damaged by Defendant's infringing activities.

COUNT VI
(Infringement of U.S. Patent No. 7,933,589)

49.   Aeritas incorporates paragraphs 1 through 8 as though fully set forth herein.

50.   Plaintiff is the owner, by assignment, of U.S. Patent No. 7,933,589 (the "'589 Patent"), entitled METHOD AND SYSTEM FOR FACILITATION OF WIRELESS E-COMMERCE TRANSACTIONS, which issued on April 26, 2011. A copy of the '589 Patent is attached as Exhibit PX-589.

51.   The '589 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

52.   Defendant has been and is now infringing one or more claims of the '589 Patent under 35 U.S.C. § 271 by making and using the Finnair App with users' iOS and Android devices in the United States without authority.

53.   Defendant has also infringed the '589 Patent by encouraging users of the Finnair App to use the user's iOS or Android devices with the Finnair App to practice the claims of the '589 Patent. Defendant has notice of the '589 Patent at least as of the date of service of this complaint.

54.   Claim 39 recites:

39.   A method for facilitating a wireless transaction, comprising:

at a first time, receiving a transaction request from a transaction requester using a wireless communications device, the transaction request associated with a wireless transaction defined by an authorization with respect to a product or

service, and a multi-stage fulfillment action associated with the authorization, the fulfillment action including personal bodily access into a physical location or structure using the wireless communication device;

transmitting, to said wireless communication device, a transaction code in response to the authorization of the transaction request, the transaction code being a two dimensional (2D) image that encodes information in two dimensions and is configured such that it is capable of being output from the wireless communication device and optically scanned for authorizing the given action;

at a second time distinct from the first time, and only if it is determined at the second time that a user of the wireless communication device is authorized to use the transaction code transmitted to the wireless communication device to facilitate the wireless transaction, optically scanning the transaction code from the visual display of the wireless communication device to partially complete the wireless transaction; and

at a third time distinct from the first time and the second time and while the wireless transaction remains only partially complete, optically scanning the transaction code from the

visual display of the wireless communication device to complete the wireless transaction and authorize personal bodily entry into the physical location or structure.

~~55.~~ More particularly, Defendant infringe at least claim 39 of the '589 Patent. On information and belief, when used, the Finnair mobile app receives a transaction request associated with the reservation and purchase of a boarding pass for air travel. The mobile boarding pass provides for personal bodily access to the secured area of an airport in order to board the plane for travel. The mobile boarding pass includes a two-dimensional bar code image, which is displayable by the mobile device for access to the secured area. To gain access to the secured area, the mobile boarding pass is scanned. Subsequently, the same mobile boarding pass provides for personal bodily access to the plane for the booked flight. To gain access to the plane, the mobile boarding pass is scanned.

56. Aeritas has been damaged by Defendant's infringing activities.

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COUNT VII
(Infringement of U.S. Patent No. 7,209,903)

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57. Aeritas incorporates paragraphs 1 through 8 as though fully set forth herein.

58. Plaintiff is the owner, by assignment, of U.S. Patent No. 7,209,903 (the "'903 Patent"), entitled METHOD AND SYSTEM FOR FACILITATION OF WIRELESS E_COMMERCE TRANSACTIONS, which issued on April 24, 2007. A copy of the '903 Patent is attached as Exhibit PX-903.

59.   The '903 Patent is valid, enforceable, and was duly issued in full compliance with Title 35 of the United States Code.

60.   Defendant has been and is now infringing one or more claims of the '903 Patent under 35 U.S.C. § 271 by making and using the Finnair App with users' iOS and Android devices in the United States without authority.

61.   Defendant has also infringed the '903 Patent by encouraging users of the Finnair App to use the user's iOS or Android devices with the Finnair App to practice the claims of the '903 Patent. Defendant has notice of the '903 Patent at least as of the date of service of this complaint.

62.   Claim 22 recites:

22.   A method facilitating a wireless transaction, said transaction involving a payment obligation on behalf of a requester and a fulfillment obligation on behalf of a provider to provide a product or service, comprising:

receiving, by a transaction fulfillment system, a transaction request for
        a product or service from a transaction requester that has
        indicated an acceptance of an obligation to pay for said product or
        service;

verifying an identity of the transaction requester;

communicating a transaction code from the transaction fulfillment
        system to a wireless communication device after verifying the
        identity of the transaction requester, said code representative of

said transaction requested;

optically scanning, by the transaction fulfillment system, the transaction code from a visual display of the wireless communication device in fulfillment of said transaction for a product or service; and

triggering, by said transaction fulfillment system, a wireless transaction fulfillment event in response to optically scanning said first transaction code whereby said provider fulfills said obligation to provide said product or service and said requested product or service is received.

63.   More particularly, Defendant infringes at least claim 2 of the '903 Patent. On information and belief, when used, the Finnair mobile app receives a transaction request associated with the reservation and purchase of a boarding pass for air travel. In the process of booking air travel, the user provides user identification information, which is verified. The mobile boarding pass provides for personal bodily access to a plane. The mobile boarding pass includes a two-dimensional bar code image, which is displayable by the mobile device for access to a plane for travel. To gain access to the plane, the mobile boarding pass is scanned.

64.   Aeritas has been damaged by Defendant's infringing activities.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests the Court enter judgment against Defendant:

1.   declaring that the Defendant has infringed the '819, the '160, the '435, the '107, the '364, the '589, and the '903 Patents;

2.   awarding Plaintiff its damages suffered as a result of Defendant's infringement of the '819, the '160, the '435, the '107, the '364, the '589, and the '903 Patents;

3.   awarding Plaintiff its costs, attorneys' fees, expenses, and interest; and

4.   granting Plaintiff such further relief as the Court finds appropriate.

JURY DEMAND

Plaintiff demands trial by jury, Under Fed. R. Civ. P. 38.

Dated: July 15, 2020   Respectfully submitted,

/s/ Raymond W. Mort, III
Raymond W. Mort, III
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**ATTORNEYS FOR PLAINTIFF
AERITAS, LLC**